

3869/006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Martin et al.
SERIAL NO. : 09/596,730
FILING DATE : June 16, 2000
GROUP ART UNIT : 3761
EXAMINER : Glenn K. Dawson
TITLE : APPARATUS WITH AUTOMATIC RESPIRATION
MONITORING AND DISPLAY

TRANSMITTAL OF REQUEST FOR CONTINUED EXAMINATION

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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FEB 05 2004
TECHNOLOGY CENTER R3700

Sir:

In response to the January 23, 2004 Advisory Action, the Applicant hereby transmits the following:


- (1) Request for Continued Examination;
- (2) fee transmittal in duplicate and a check in the amount of \$770.00 for a request for continued examination; and
- (3) an itemized return postcard.

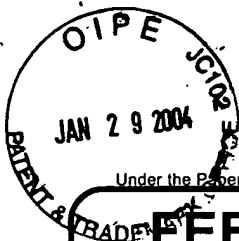
The Commissioner is authorized to charge any additional fees that may be required, or to credit any overpayment, to our Deposit Account No. 07-1730.

I hereby certify that the foregoing documents are being deposited with the United States Postal Service, Express Mail, Post Office to Addressee in an envelope addressed to the Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below. (Express Mail label: EV 225385585 US)

GOTTLIEB, RACKMAN & REISMAN, P.C.
270 Madison Avenue
New York, New York 10016
Phone: (212) 684-3900
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Date: January 29, 2004


Raymond B. Churchill, Jr.
Reg. No. 44,617



PTO/SB/17 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)**770.00**

Complete if Known

Application Number	09/596,930
Filing Date	June 16, 2000
First Named Inventor	Martin et al
Examiner Name	Glenn Dawson
Group Art Unit	3761
Attorney Docket No.	3869/006

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **07-1730**
Deposit Account Name

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ **Payment Enclosed:**

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

	Large Entity	Small Entity	Fee Description	Fee Paid
	Code (\$)	Code (\$)		
101	710	201 355	Utility filing fee	
106	320	206 160	Design filing fee	
107	490	207 245	Plant filing fee	
108	710	208 355	Reissue filing fee	
114	150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$)**0.00**

2. EXTRA CLAIM FEES

Total Claims **0** - 20** = **0** x **18.00** = **0.00**
Independent Claims **0** - 3** = **0** x **84.00** = **0.00**
Multiple Dependent

	Large Entity	Small Entity	Fee Description
	Code (\$)	Code (\$)	
103	18	203 9	Claims in excess of 20
102	80	202 40	Independent claims in excess of 3
104	270	204 135	Multiple dependent claim, if not paid
109	80	209 40	** Reissue independent claims over original patent
110	18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0.00**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

	Large Entity	Small Entity	Fee Description
	Code (\$)	Code (\$)	
105	130	205 65	Surcharge - late filing fee or oath
127	50	227 25	Surcharge - late provisional filing fee or cover sheet
139	130	139 130	Non-English specification
147	2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination
112	920*	112 920*	Requesting publication of SIR prior to Examiner action
113	1,840*	113 1,840*	Requesting publication of SIR after Examiner action
115	110	215 55	Extension for reply within first month
116	390	216 195	Extension for reply within second month
117	890	217 445	Extension for reply within third month
118	1,390	218 695	Extension for reply within fourth month
128	1,890	228 945	Extension for reply within fifth month
119	310	219 155	Notice of Appeal
120	310	220 155	Filing a brief in support of an appeal
121	270	221 135	Request for oral hearing
138	1,510	138 1,510	Petition to institute a public use proceeding
140	110	240 55	Petition to revive - unavoidable
141	1,240	241 620	Petition to revive - unintentional
142	1,240	242 620	Utility issue fee (or reissue)
143	440	243 220	Design issue fee
144	600	244 300	Plant issue fee
122	130	122 130	Petitions to the Commissioner
123	130	123 130	Petitions related to provisional applications
126	180	126 180	Submission of Information Disclosure Stmt
581	40	581 40	Recording each patent assignment per property (times number of properties)
146	710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))
149	710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))
179	710	279 355	Request for Continued Examination (RCE)
169	900	169 900	Request for expedited examination of a design application

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**770.00**

SUBMITTED BY

Name (Print/Type)	Raymond B. Churchill, Jr.	Registration No. (Attorney/Agent)	44,617	Telephone	212-684-3900
Signature		Date	Jan. 29, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.